

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JANET R. KOSKI,	)	
	)	
Plaintiff,	)	8:08CV177
	)	
vs.	)	ORDER
	)	
CAPITAL ONE BANK (USA), N.A.,	)	
	)	
Defendant.	)	

This matter is before the court on the parties Status Report ([Filing No. 28](#)). On October 15, 2008, this matter was referred to mediation. The parties inform the court the matter has not yet been mediated, however the parties engaged in settlement negotiations without a mediator. For this reason, the parties seek thirty days to resolve the matter. Upon consideration,

**IT IS ORDERED:**

The parties shall have to **January 30, 2009**, to file a joint status report concerning the status of this case. In the alternative, if the matter is resolved by that date, the parties shall electronically file a joint stipulation for dismissal (or other dispositive stipulation) and shall submit to Chief Judge Joseph F. Bataillon, at [bataillon@ned.uscourts.gov](mailto:bataillon@ned.uscourts.gov), a draft order which will fully dispose of the case. If the case is being dismissed, the stipulation shall comply with Fed. R. Civ. P. 41(a) and shall state whether the dismissal is with or without prejudice.

DATED this 30th day of December, 2008.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge